

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEBORAH L. RINGCHOP, et al.,
Plaintiffs,
v.
ONEWEST BANK, N.A., et al.,
Defendants.

Case No. [15-cv-00155-MEJ](#)

**ORDER VACATING CMC AND
MOTION HEARINGS**

**ORDER REFERRING CASE TO ADR
UNIT FOR ASSESSMENT TELEPHONE
CONFERENCE**

Pursuant to Civil Local Rule 16-8 and Alternative Dispute Resolution (ADR) Local Rule 2-3, the Court refers this foreclosure-related action to the ADR Unit for a telephone conference to assess the case's suitability for mediation or a settlement conference. The parties shall participate in a telephone conference, to be scheduled by the ADR Unit as soon as possible, but no later than February 23, 2015. The parties shall be prepared to discuss the following subjects:

- (1) Identification and description of claims and alleged defects in loan documents.
- (2) Prospects for loan modification.
- (3) Prospects for settlement.

The parties need not submit written materials to the ADR Unit for the telephone conference. In preparation for the telephone conference, Plaintiffs shall do the following:

- (1) Review relevant loan documents and investigate the claims to determine whether they have merit.
- (2) If Plaintiffs would like a loan modification to resolve all or some of the claims, Plaintiffs shall prepare a current, accurate financial statement and gather all of the information and documents customarily needed to support a loan modification request. Further, Plaintiffs shall immediately notify counsel for Defendants of the request for a loan modification.

- 1 (3) Provide counsel for Defendants with information necessary to
2 evaluate the prospects for loan modification, in the form of a
financial statement, worksheet or application customarily used by
financial institutions.

3 In preparation for the telephone conference, Defendants shall do the following.

- 4 (1) If unable or unwilling to do a loan modification after receiving
5 notice of the request, Defendants shall promptly notify Plaintiffs to
that effect.
- 6 (2) Arrange for a representative of each Defendant with full settlement
7 authority to participate in the telephone conference.

8 The ADR Unit will notify the parties of the date and time the telephone conference will be
9 held. After the telephone conference, the ADR Unit will advise the Court of its recommendation
10 for further ADR proceedings.

11 The Case Management Conference and related deadlines, and any noticed motion to
12 dismiss hearing dates and briefing deadlines are VACATED pending resolution of this ADR
13 process.

14 **IT IS SO ORDERED.**

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16 Dated: January 21, 2015

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19 MARIA-ELENA JAMES
20 United States Magistrate Judge
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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.


That on 1/21/2015, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Deborah L. Ringchop
1660 Sunset Road
Brentwood, CA 94513

Stephen D. Ringchop
1660 Sunset Road
Brentwood, CA 94513

Dated: 1/21/2015

Richard W. Wieking
Clerk, United States District Court

By: 
Chris Nathan, Deputy Clerk to the
Honorable MARIA-ELENA JAMES

United States District Court
Northern District of California